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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91202219
Party	Plaintiff Eat Right Foods Ltd.
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Attachments	Notice of Reliance No. 10.pdf (2 pages)(843273 bytes)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

EAT RIGHT FOODS LTD.,

Opposer,

v.

KEVIN LEVILLE,

Applicant.

Opp. No.: 91202219

Ser. No.: 77/868,068

Date of Publication:
April 26, 2011

OPPOSER EAT RIGHT FOODS LTD.'S
NOTICE OF RELIANCE NO. 10

TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE that, pursuant to 37 C.F.R. § 2.122(e) and 704.08(b) of the Trademark Trial and Appeal Board Manual of Practice and Procedure, Opposer Eat Right Foods Ltd. provides Notice of Reliance on material published on the Internet at <http://shop.eatright.co.nz/shopn/SP/1825393542,7641/pv=EATRI,pg=10411,sg=,co=CAK>, accessed and publicly available on September 24, 2012, submitted herewith. The material being offered is relevant to Opposer's use of its registered marks in commerce, the goods upon which Opposer uses its registered marks, the channels of trade in which Opposer markets and sells such goods, and the retail price of such goods.

Dated: September 25, 2012.

Respectfully Submitted,
SHARTSIS FRIESE LLP

By: 

JOSEPH V. MAUCH

Attorneys for Opposer
EAT RIGHT FOODS LTD.

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Kings Fruit Cake

Dairy Free - Wheat Free - Gluten Free - Nut Free; Blood type O and A

Take a mix of sultanas, mixed peel, add a pinch of cloves, a little bit of cardamon, lemon juice, pineapple juice and mix it all with stone ground brown rice flour for an unforgettable treat! US\$ 5.33

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